

**BOARD OF PSYCHOLOGY**

1422 HOWE AVENUE, SUITE 22
SACRAMENTO, CA 95825-3200
(916) 263-2699
www.dca.ca.gov/psych



OPEN SESSION
QUARTERLY BOARD MEETING

HYATT REGENCY MONTEREY
ONE GOLF COURSE DRIVE
MONTEREY, CA 93940

Saturday, March 4, 2000

The open session meeting of the Board of Psychology was called to order by the President, Judith Janaro Fabian, Ph. D. at 9:05 am. A quorum was present and due notice was sent to all interested parties.

Present were:

Judith Janaro Fabian, Ph.D., President
Emil Rodolfa, Ph.D
Pamela Harmell, Ph.D
Mary Ellen Early
Mary McMillan
Lisa Kalustian
Marilyn Palarea

Others Present:

Thomas O'Connor, Executive Officer
Dan Buntjer, DCA Legal Counsel
Suzanne Taylor, Assistant Executive Officer
Karen Johnson, Licensing/Examination Coordinator
Jeff Thomas, Special Project Coordinator
Kathi Burns, Enforcement Analyst
Mary Laackmann, Enforcement Technician
Barbara Sherwin, Office Technician

Agenda Item # 9 - Approval of January 7, 2000 Open Session Minutes

This item deferred until the next Board meeting.

Agenda Item # 10 - President's Report – Dr. Fabian

a. Correspondence

Dr. Fabian stated that the Board received a letter from Dorothy M. Tucker, Ph.D., President of the California Psychological Association (CPA) which indicated that Dr. Tucker would like to collaborate with the Board on projecting future population needs and changes in the State of California. She would like to focus in the areas of education, practice and licensure. Mr. O'Connor said that Dr. Tucker informed him that Steven Berger, Ph.D. of the Orange County Psychology Association will take the lead on this and will work directly with Mr. O'Connor. Mr. O'Connor will keep the Board apprised of the progress.

The California Mental Health Planning Council invited Dr. Fabian and Mr. O'Connor to take part in the Human Resources Summit on March 13-15, 2000 in Berkeley, CA. Dr. Fabian will speak on the subject of "hiring barriers", specifically in the areas of supervision and mobility of psychologists throughout the country.

Linda Hee, Ph.D. resigned as a member of the Board of Psychology effective January 10, 2000. Dr. Fabian thanked her for her many contributions and the time and energy she dedicated to her work as a Board member. Dr. Fabian asked that a letter of thanks be sent to her.

b. Appointment of Credentials Committee Chairperson

Dr. Fabian announced that due to Dr. Hee's resignation, Emil Rodolfa, Ph.D. will officially take over as the Chairperson of the Credentials Committee.

c. Appointment of Continuing Education Committee Chairperson

Dr. Fabian appointed Martin Greenberg, Ph.D. to take over as the Chairperson of the Continuing Education Committee.

d. ASPPB Update/Second International Congress

Dr. Fabian and Suzanne Taylor participated in the Association of State and Provincial Psychology Boards' (ASPPB) mid-winter meeting held on February 24-27, 2000 in Albuquerque, New Mexico. Dr. Fabian commended this group's dedication toward its ominous goal of obtaining uniformity in regulations throughout the US and Canada. Dr. Fabian and Ms. Taylor attended an excellent Ethics, Law and Liability workshop presented by Randy Reeves, Executive Officer and General Counsel of ASPPB.

Sadly, Dr. Fabian announced the death of Larry Bass, Ph.D., and former President of ASPPB. Dr. Bass was memorialized at a touching dedication in his honor at the ASPPB Annual meeting.

The next ASSPPB International Conference will be held in Norway in July of 2000. ASPPB expressed a desire that Mr. O'Connor attend the conference as his input is of great value.

Dr. Fabian stated that 636 California psychologists have requested applications for obtaining the

Certificate of Professional Qualifications. More than 6000 applications have been requested throughout the US and Canada.

e. Psychological Testing Statement

Dr. Fabian and Dr. Rodolfa have been working together and reviewing materials from sources, which include the American Psychological Association regarding the issue of psychological testing. Information on their findings should be available at the next Board meeting.

f. Election of Officers

This item deferred until the next Board meeting.

g. March 24-26, 2000 CPA Convention

At the upcoming CPA convention Dr. Fabian and Mr. O'Connor will participate in the Standards of Care panel presented by Steven Bucky, Ph.D. Additionally at the convention, the Board of Psychology will hold its annual Expert Reviewer Training session.

h. Other Post-Agenda Items for Discussion

Dr. Fabian mentioned an article that was in the *American Psychologist* which addressed a possible revision of the APA ethics code. The revision would change the prohibition of sexual contact with a former patient from two years after the date of termination of therapy to in perpetuity.

Agenda Item #11 - Executive Officer's Report – Mr. O'Connor

a. Staff Update

Mr. O'Connor announced that Karen Johnson will be having a baby in June. Mr. O'Connor assured everyone that steps are being taken to train other staff members to complete Karen's duties during her absence and that the Board may be hiring another person on a six (6) month limited term basis.

Dr. Fabian thanked Karen for her exceptional work as the Examination Coordinator for the Board and expressed how much she will be missed during her absence.

Mr. O'Connor announced that Anthony Lum has been hired as the Board's new Continuing Education clerk.

Mr. O'Connor announced that our budget has been augmented to include money for development of a new consumer brochure and a new associate analyst position to monitor our probation program. These funds will become available in July 2000.

A hearing regarding regulations to reduce the biennial renewal fee and to approve the Board's budget will be held before the Senate on March 20, 2000 and before the Assembly on March 28, 2000.

Mr. O'Connor stated that Board staff attended a team building workshop sponsored by the Department called "True Colors". The workshop's purpose was to enlighten staff about their own personality traits and those of their coworkers. All enjoyed the workshop and felt it to be very insightful.

b. Approval of the 2001 Calendar

Mr. Connor asked for approval of the proposed 2001 Board calendar. He stated that, of course, the calendar would be modified if necessary throughout the year.

(M)Harmell/(S) Palarea/C to approve the 2001 Board calendar.

Vote: 7-0

c. Continuing Competency

Mr. O'Connor commented on information received from Michael Haley, Ph.D., Executive Officer of CPA regarding continuing competency. He stated that the Washington State Licensing Board is moving forward with a study on continuing competency/quality assurance, which may result in possible alternatives to required continuing education, such as continuous testing for competence.

d. Board Member and Staff Ethics Training

Mr. O'Connor announced that he and the Board members have complied with the new legislation requiring them to complete ethics training. The certifications of completion have been sent to Allen Sumner, Chief Counsel of the State and Consumer Services Agency.

e. Regional Board Forums

Mr. O'Connor and Dr. Rodolfa will be attending the March 8, 2000 Regional Board Forum in Sacramento. Dan Buntjer will be attending and presenting at this forum. These forums are designed to bring forth and discuss issues facing State licensing boards.

f. Other Post-Agenda Items for Discussion

Mr. O'Connor has been attending Judicial Council Summit meetings that address Family Court issues. He stated that the Judicial Council is required by SB 433 (Johnson, Ross) to develop a statewide rule of court by January 1, 2002 to establish education, experience, and training requirements for all child custody evaluators. Mr. O'Connor was assigned to a committee on credentials, education, experience and training. Results of these committees will be brought back to a general meeting of the council.

Agenda Item #12 - Legal Counsel's Report – Mr. Buntjer

a. Record Keeping

Dr. Buntjer addressed the question of whether the Health and Safety Code provisions for record keeping apply to psychologists in private practice. He stated that it is his opinion that Health and Safety Code Section 123145 does not apply to psychologists in private practice. He indicated that there are no other laws or regulations that require psychologists to retain records for any period of time. He did, however, indicate that in this instance, it is a matter of professional standards that apply. Mr. Buntjer was asked to further research the federal guidelines as to whether the intent of the statute was to include psychologists in private practice.

b. Other Post-Agenda Items for Discussion

None

Agenda Item #13 - Regulation Update – Mr. Thomas

a. Supervision Regulations

Mr. Thomas updated the Board as to the status of each proposed regulation change and reported that on February 17, 2000, a regulation hearing was held on the proposed supervision regulations. The language was provided for review.

b. Fee Reduction Regulations

Mr. Thomas announced the approval of the regulations to reduce the fee for renewal of a psychology license. The reduced fee will effect those whose licenses expire on or after July 1, 2000.

c. Disciplinary Guidelines Regulations

Mr. Thomas met with the Office of Administrative Law (OAL) regarding the proposed changes to the Board's disciplinary guidelines. After receiving OAL approval, the new language was filed with the Secretary of State and will become effective on March 31, 2000.

d. Other Post-Agenda Items for Discussion

The spousal/partner abuse assessment detection and intervention proposed regulation language which defines the statute already in place, was approved by OAL and filed with the Secretary of State on February 29, 2000. This regulation will become effective March 31, 2000.

Agenda Item #14 - Continuing Education (CE) Update – Mr. Thomas

a. Accrediting Agency Audit Update

Mr. Thomas reported that the Continuing Education Committee will be meeting within the next several months and he hopes to have information to present later this year.

b. Continuing Education Statistics

Mr. Thomas reported that statistics provided by the MCEP Accrediting Agency (MCEPAA) revealed

that as of November 1999, 16% of all licensed psychologists did not comply with the mandatory continuing education requirements. The MCEPAA has mailed notices out to those who are non-compliant.

c. Other Post-Agenda items for Discussion

None.

Agenda Item #15 - Credentials Committee Report - Dr. Rodolfa

a. Stiebel, Dara – Request for Alternative Supervision Pursuant to Regulation Section 1387(o)(3).

M/(Credentials Committee)/C to approve Ms. Stiebel's request for alternative supervision at the University of Judaism.

Vote 7-0

b. Kile, Diane – Supervision Issue

M/(Credentials Committee)/C to deny Ms. Kile's request to provide alternative or secondary supervision to someone accruing hours toward psychology licensure. Ms. Kile is a Psychiatric Nurse Specialist. The Board determined that a Psychiatric Nurse Specialist would not qualify as an alternative or secondary supervisor.

Vote 7-0

c. Muppavarapu, Hymavathi – Foreign Degree Evaluation

M/(Credentials Committee)/C to approve.

Vote 7-0

d. Other Post-Agenda Items for Discussion

Arrigo, Beth, Ph.D., - Request for Waiver of Coursework in the Detection and Treatment of Alcohol and Other Chemical Substance Dependency.

M/(Credentials Committee)/C to approve.

Vote 7-0

Cima, Randy L., Ph.D., - Request Waiver of the Same Work Setting

M/(Credentials Committee)/C to deny. The Board determined that Dr. Cima's employment situation did not meet the intent of policy #L-99-01.

Vote 7-0

Collard, Sara, Ph.D., - Request Waiver of the Same Work Setting

M/(Credentials Committee)/C to approve.

Vote 7-0

Agenda Item #16 - Examination Committee Report – Dr. Greenberg

a. January 2000 Oral Exam and October 1999 Written Exam Statistics

Dr. Fabian reported the following examination results:

Oral:

449 examinees took the oral examination in January 2000. 219 candidates passed and 230 failed. This highest score was 34.00 and the lowest was 1.00

Jurisprudence:

45 examinees took the first ever *written* jurisprudence examination in January 2000. 34 candidates passed and 11 failed. The highest score was 95 out of 100 and the lowest score was 62 out of 100.

Written:

448 examinees took the EPPP examination in October 2000. 265 passed and 183 failed. The highest score was 184 and the lowest score was 61.

b. Examinee Questionnaire

Dr. Fabian noted that only 13% of those who took the oral examination returned the examinee questionnaire. This could have been due to the fact that preaddressed, postage paid envelopes were not provided to each examinee. The Board asked that staff provide such envelopes in the future to ensure a high questionnaire return rate. The questionnaire did indicate, however, that overall examinees are comfortable with the examination process.

c. 2000/2001 Examiner Food Fund

Although the Board of Psychology strives to provide a comfortable environment for its oral examiners, it was decided that due to the Board's need to comply with host hotels' policies and DCA's policies, it will no longer provide snacks and beverages at the examination sites. Therefore, the Examiner food fund will no longer be maintained.

d. Other Post-Agenda Items for Discussion

None.

Agenda Item #17 - Enforcement Committee Report – Ms. Palarea

a. Enforcement Statistics

Ms. Palarea reported that the enforcement statistics indicate a general decrease in the number of complaints received by the Board. This decrease was reflected in the number of investigations and formal disciplinary proceedings as well.

b. Expert Nominations

Ms. Palarea stated that the one licensed psychologist who is being considered as an expert reviewer for the Board has been asked to provide additional information for review at the next Board meeting.

c. Citation and Fine Activity

Kathi Burns reported that the Board will be issuing citations and fines to those psychologists who fail to fulfill the mandatory continuing education requirements. She reported that she is working closely with MCEPAA to ensure that those issued citations and fines are indeed non-compliant. The fine amount for the first violation has been set at \$100.00.

d. Other Post-Agenda Items for Discussion

Ms. Burns reported that she and Ms. Taylor are currently developing draft guidelines for monitoring psychologists serving probationary periods with the Board of Psychology. As of July 1, 2000, the Medical Board will no longer monitor the Board's probationers. A full report of the probation program will be given at the next Board meeting.

Agenda Item #18 - Legislation Committee Report – Ms. McMillan

a. Senate Bill 1451 (Figueroa)

Ms. McMillan reported that SB 1451 will be watched by the Board at this time.

b. BOP Legislative Proposals

Mr. O'Connor stated that the Board's legislative proposals have not changed since the board reviewed them at the November 1999 Board meeting. He is still working with the staff of the Senate B&P Committee to get this language into a B&P Committee omnibus bill. He requested that if the Board concurs with these proposals, that a vote be taken to affirm support of this language.

It was M/(McMillan)/S(Palarea)/C to support these proposals.

Vote: 7-0

c. Other Post-Agenda Items for Discussion

Ms. McMillan reported that AB1800 (Thompson) has not been heard in committee yet but will be in two weeks. The Board will watch this bill with interest for now.

Charles Faltz, Ph.D., representing the California Psychological Association (CPA), expressed concern with AB1800 stating that he felt this bill would severely impair a psychologist's authority with patients in a hospital setting. He indicated that CPA strongly opposes this bill at this time.

Allison Parelman, Ph.D. asked for clarification of the supervision regulation language. Dr. Rodolfa explained that supervisors do not have to be on-site 50% of the time, but merely employed in the same setting at least 50% of the time that the trainee is providing services.

Agenda Items #19 - Consumer Education Committee Report – Mr. O'Connor

a. BOP Update VII

Mr. O'Connor announced that BOP Update VII has been completed and mailed to all interested parties including all licensees and registrants and training programs and organizations throughout North America.

b. Website Update and Statistics

Mr. O'Connor reported that the Board's website will undergo some changes in the near future, now that the Department no longer has to concentrate its efforts on the Y2K problem.

c. On-Line Verification of Licensure

The Board is working closely with the Department to obtain on-line verification. The information that will soon be available on the Board's website will include license number, issue and expiration date, status, address of record, and if disciplinary action has been taken.

d. Other Post-Agenda Items for Discussion

None.

Agenda Item #20 - Public Comment

None.

The Open Session meeting of the Board adjourned at 10:55 am.

Respectfully submitted,

Judith Janaro Fabian, Ph.D.
President

Date